

HOUSE BILL No. 1264

DIGEST OF INTRODUCED BILL

Citations Affected: IC 34-13-3-4.

Synopsis: Tort claims against governmental entities. Increases the combined aggregate liability of all governmental entities and public employees under the law concerning tort claims against governmental entities and public employees: (1) from \$300,000 to \$1,250,000 for injury to or death of one person in any one occurrence; and (2) from \$5,000,000 to \$10,000,000 for injury to or death of all persons in that occurrence.

Effective: January 1, 2004.

Avery, Ulmer

January 13, 2003, read first time and referred to Committee on Judiciary.

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First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

HOUSE BILL No. 1264

A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 34-13-3-4 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JANUARY 1, 2004]: Sec. 4. The combined
3 aggregate liability of all governmental entities and of all public
4 employees, acting within the scope of their employment and not
5 excluded from liability under section 3 of this chapter, does not exceed
6 **three one million two hundred fifty** thousand dollars ~~(\$300,000)~~
7 **(\$1,250,000)** for injury to or death of one (1) person in any one (1)
8 occurrence and does not exceed ~~five ten~~ million dollars ~~(\$5,000,000)~~
9 **(\$10,000,000)** for injury to or death of all persons in that occurrence.
10 A governmental entity is not liable for punitive damages.
11 SECTION 2. [EFFECTIVE JANUARY 1, 2004] **This act applies**
12 **only to a cause of action that accrues after December 31, 2003.**

